

**Debevoise  
& Plimpton**

September 23, 2024

BY ECF

Judge Alvin K. Hellerstein  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

**MidCap Business Credit, LLC v. MidCap Financial Trust, et al.,  
Case No. 21-cv-07922**

Dear Judge Hellerstein:

The parties in the above captioned matter write jointly to update the Court on the status of mediation. The parties have engaged Marc Isserles with JAMS for an in-person mediation scheduled to take place on November 7, 2024.

In lieu of the status conference scheduled for September 27, 2024, *see* ECF 140, the parties propose that they submit a joint status report to the Court within 14 days following the mediation. If the Court wishes to meet with the parties prior to the mediation, the parties are available to appear after October 1, 2024.<sup>1</sup>

The parties thank the Court for its consideration.

Respectfully submitted,

/s/ Lisa Pearson

Lisa Pearson  
R. Charles Henn Jr.  
Bryan Wolin  
KILPATRICK TOWNSEND &  
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/s/ James Pastore

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James Pastore  
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<sup>1</sup> As discussed during the September 6, 2024 conference, lead counsel for plaintiff is traveling out of the country from September 22 through October 1, 2024.

*The conf. scheduled for  
Sep. 27, 2024 is adjourned  
to Dec. 6, 2024, 10<sup>00</sup>-am  
9.24.24  
Alvin K. Hellerstein*

Judge Alvin K. Hellerstein

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